

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
FORT MYERS DIVISION

MICHAEL HANUS and EILEEN
HANUS,

Plaintiffs,

v.

Case No.: 2:20-cv-814-SPC-NPM

AIG PROPERTY CASUALTY
COMPANY,

Defendant.

_____/

ORDER¹

Before the Court is the parties' Joint Motion for Extension of Time ([Doc. 27](#)). The discovery and mediation deadlines were December 15 and January 3, respectively. ([Doc. 19 at 2](#)). When the parties failed to file their mediator's report—as required—the Court ordered them to file a report on the status of mediation. ([Doc. 26](#)). As it turns out, the parties never mediated. But they are in settlement discussions and have a mediation scheduled for February 15. So they want the Court to extend the mediation deadline to that date, along with reopening discovery with a March 31 deadline.

¹ Disclaimer: Documents hyperlinked to CM/ECF are subject to PACER fees. By using hyperlinks, the Court does not endorse, recommend, approve, or guarantee any third parties or the services or products they provide, nor does it have any agreements with them. The Court is also not responsible for a hyperlink's availability and functionality, and a failed hyperlink does not affect this Order.

In asking for these extensions, the parties say they must show good cause. [Fed. R. Civ. P. 6\(b\)\(1\)\(A\)](#). Leaving aside the fact they didn't offer any, the Court disagrees with their reading. Rule 6(b)(1)(A) only applies to requests for extension of time "before the original time or its extension expires." *Id.* Yet the parties ask to extend the deadlines having missed both without explanation. In these circumstances, the Court may extend the deadlines "if the party failed to act because of excusable neglect." [Fed. R. Civ. P. 6\(b\)\(1\)\(B\)](#). Again, there is no explanation for why the parties' failure to meet their deadlines should be excused. All the same, mediation is "mandatory." ([Doc. 19 at 7](#)). And any unresolved discovery may facilitate settlement. So the Court will extend both deadlines. However, the Court will only reopen discovery for a much shorter period than the parties request.

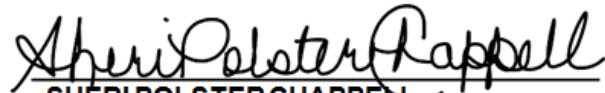
Accordingly, it is now

ORDERED:

The parties' Joint Motion for Extension of Time to Extend the Case Management and Scheduling Order Deadlines ([Doc. 27](#)) is **GRANTED in part**.

1. The Discovery Deadline is **EXTENDED** to **February 8, 2022**.
2. The Mediation Deadline is **EXTENDED** to **February 15, 2022**.
3. All other deadlines and requirements of the Court's Case Management and Scheduling Order ([Doc. 19](#)) are unchanged.

DONE and **ORDERED** in Fort Myers, Florida on January 14, 2022.


SHERI POLSTER CHAPPELL
UNITED STATES DISTRICT JUDGE

Copies: All Parties of Record